

REMARKS/ARGUMENTS

The claims are 42, 44-62, and 64-88.

Claim 41 has been canceled in favor of new claim 81, which incorporates subject matter previously appearing in claims 43 and 45. Accordingly, claim 43 has been canceled, claim 45 has been amended in view of new claim 81, and claims 42, 58, and 60, which previously depended on claim 41, and claim 44, which previously depended on claim 43, have been amended to depend on new claim 81.

In addition, claim 61 has been amended to incorporate subject matter previously appearing in claims 63 and 65. Accordingly, claim 63 has been canceled, and claim 65 has been amended in view of the amendment to claim 61.

These and the remaining claims have also been amended to improve their form or to delete reference numerals, and new dependent claims 82-88 have been added directed to subject matter previously appearing in claims 44, 48, 52, 55, 68, 72, and 75.

Reconsideration is expressly requested.

Claim 44 was objected to as containing a misspelling which it is respectfully submitted is incorrect as such misspelling does not appear in the claim. In any event, Applicants have amended claim 44, *inter alia*, to remove reference to the angle of 120°, thereby obviating the Examiner's objection.

Claims 41-60 and 62-80 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for the reasons set forth on pages 2-3 of the Office Action. In response, Applicants have, *inter alia*, canceled claim 41, amended claims 60 and 80 to remove the phrase "and/or," have amended claims 44, 45, 47-49, 62, 64-65, 67-69, 79, and 80 to remove the phrase "preferably," have amended claims 52, 72, and 75 to remove the phrase "in particular," and have amended claims 55 and 75 to remove the phrase "rotationally fast manner." It is respectfully submitted that all currently pending claims fully comply with 35 U.S.C. §112, second paragraph.

Claims 41, 43, 45-49, 52-54, 56-58, 60-63, 65-69, 72-74, 76-78 and 80 were rejected under 35 U.S.C. §102(b) as being anticipated by *Berger GB 2 016 984*. The remaining claims were rejected under 35 U.S.C. §103(a) as being unpatentable over *Berger* alone (claims 42, 50-51, 55, 59, 70-71, 75 and 79) or further in view of *Sugiyama GB 2 174 942* (claims 44 and 64).

Essentially, the Examiner's position was that *Berger* discloses the wire feed device and method recited in the claims except for features which were considered either within the skill of the art or taught by the secondary reference to *Sugiyama*.

This rejection is respectfully traversed.

As set forth in new claim 81, Applicants' invention provides a wire feed device for transporting a welding wire from a wire storage to a point of consumption including a plurality of guiding elements for guiding the welding wire, a base body, and a drive sleeve. Each guiding element includes a guide path along which a plurality of transport elements are displaceably mounted, and the drive sleeve is connected with at least one transport element of each guiding element. At least one further transport element is connected with the welding wire in at least one of a force-locking manner and a form-locking manner. The base body and the guiding elements are arranged in the drive sleeve, and at least one guiding element is displaceably arranged to adapt to a diameter of the welding wire.

As set forth in claim 61 as amended, Applicants' invention provides a method for feeding a welding wire from a wire storage to a point of consumption. In accordance with the method, a

plurality of guiding elements for guiding the welding wire are arranged in a base body, each guiding element includes a guide path along which a plurality of transport elements are displaceably mounted, and the guiding elements and the base body are arranged in a drive sleeve to form a drive mechanism connected with at least one transport element of each guiding element. The welding wire is guided through at least one guide element and at least one transport element is in operative connection with the welding wire on a side of the respective guiding element facing the welding wire. On at least one further side of the guiding element, at least one further transport element is displaced by the drive mechanism, thus causing the transport elements arranged in the guide path to be moved on by the at least one further transport element displaced by the drive mechanism. At least one guiding element is displaced for adaptation to the diameter of the welding wire.

By providing several guiding elements 28 arranged about the welding wire 13, optimal pressing or acting on the welding wire 13 results. Because there is at least one guiding element 28 movably arranged, it is possible to easily adept the wire feed device to welding wires 13 having different diameters. According to claim 61 as amended and new claim 81, each guiding element 28 includes a guide path 32 along which several transport elements

33 are displaceably mounted. The transport elements 33, in particular balls as more specifically recited in claims 58 and 78 as amended, are guided in the element or cage in a manner similar to a ball bearing, whereby the friction is considerably reduced, because the contact area of a ball is substantially smaller than with other, conventional systems or shapes. At least one transport element 33 of each guiding element 28 is connected with a drive mechanism 37 formed by the drive sleeve 43 as can be seen, for example, in FIGS. 21 and 22. By this construction, the dimensions of the wire feed device according to new claim 81 can be substantially reduced in order to obtain a small and compact mode of construction, which can be arranged within a welding torch, for instance. At the same time, a very simple and cost effective drive mechanism is provided for the transport of the welding wire as recited in claim 61 as amended.

The primary reference to Berger fails to disclose or suggest guiding elements including a guide path along which several transport elements, like balls, are displaceably mounted and wherein at least one transport element of each guiding element is connected with a drive means and at least one further transport element is connected with the welding wire as recited in new claim 81 and claim 61 as amended.

The defects and deficiencies of the primary reference to Berger are nowhere remedied by the secondary reference to *Sugiyama*, which simply shows a wire feed device for transporting a welding wire from a wire storage to a point of consumption including a segmented chuck with inner threads biting into the outer circumference of the welding wire. The construction according to *Sugiyama* is not able to be easily adapted to welding wires having different diameters. Therefore, it is respectfully submitted that *Sugiyama*'s arrangement can provide no teaching to one skilled in the art to modify Berger in an effort to solve the problem to which Applicants' method and device as recited in new claim 81 and amended claim 61 are directed.

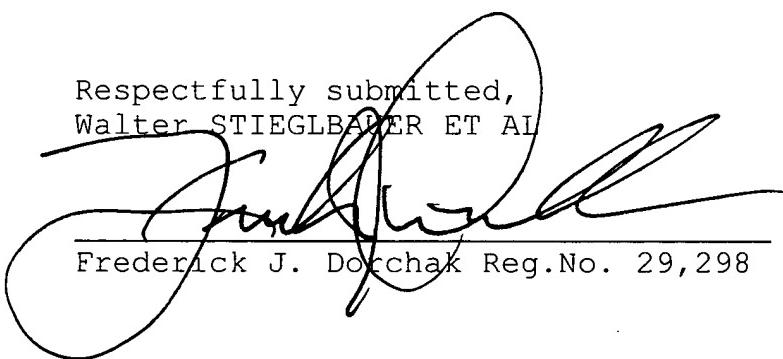
Accordingly, it is respectfully submitted that new claim 81 and amended claim 61, together with the remaining claims which depend directly or indirectly thereon, are patentable over the prior art.

Applicants would also like to point out that *Sugiyama* was also cited during examination proceedings of the corresponding European patent application. Nevertheless, on August 20, 2008, a European patent, Patent No. EP 1 708 843 B1, was granted, a copy of which is attached.

In summary, claims 41, 43, and 63 have been canceled, claims 42, 44-62, and 64-80 have been amended, and new claims 81-88 have been added. A check in the amount of \$260.00 is enclosed in payment of the fee for five (5) new dependent claims over those previously paid for. In view of the foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Applicants also submit herewith a Second Supplemental Information Disclosure Statement.

Respectfully submitted,
Walter STIEGLBAUER ET AL

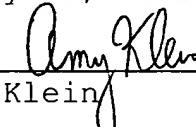

Frederick J. Dorchak Reg. No. 29,298

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

FJD:fnr

Enclosures: Supplemental Information Disclosure Statement with Form PTO-1449 and one (1) reference, European patent, Patent No. EP 1,708,843 B1, dated August 20, 2008, and Check in the amount of \$260.00

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 20, 2009.


Amy Klein